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SALVADOR LOMELI  
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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO DIVISION

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 v.  
14 SALVADOR LOMELI,  
15 Defendant.

No. 3:16-mj-70454 SK

**STIPULATION AND ~~Proposed~~ ORDER TO  
CONTINUE HEARING AND TO EXCLUDE  
TIME**

Date: June 2, 2016  
Time: 9:30 a.m.

16 This matter is set for a preliminary hearing or arraignment on an indictment before this Court on  
17 June 2, 2016. The parties request that this matter be continued to June 8, 2016 at 9:30 a.m. for further  
18 setting. Pursuant to Fed. R. Crim. P. 5.1(d), the defendant consents to extending the time limits set forth  
19 in Fed. R. Crim. P. 5.1(c) to exclude from the 21-day limit the time from June 2, 2016 to the newly  
20 proposed hearing date June 8, 2016 to accommodate this request, and defense counsel needs to obtain  
21 and review discovery, to conduct investigation, and to otherwise prepare the defense. As a result, the  
22 parties request that the Court exclude time between June 2, 2016 and June 8, 2016 for effective  
23 preparation of defense counsel, taking into account the exercise of due diligence, and pursuant to 18  
24 U.S.C. §§ 3161(h)(7)(A) and (B)(iv). The extension is not sought for delay, and the parties agree the  
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ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

Dated: May 26, 2016

Brian J. Stretch  
United States Attorney

/S/  
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Laura Vartain-Horne  
Matthew L. McCarthy  
Assistant United States Attorneys

Dated: May 26, 2016

/S/  
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Mark R. Vermeulen  
Attorney for Defendant  
SALVADOR LOMELI

ORDER

IT IS HEREBY ORDERED that this matter is continued to June 8, 2016 at 9:30 a.m. for further setting.

IT IS FURTHER ORDERED that pursuant to Fed. R. Crim. P. 5.1(d), the 21-day limit set forth in Fed. R. Crim. P. 5.1(c) shall be extended, such that the 21-day limit shall run from June 8, 2016.

IT IS FURTHER ORDERED that time between June 2, 2016 and June 8, 2016 is excluded pursuant to the Speedy Trial Act for effective preparation of defense counsel, taking into account the exercise of due diligence, and pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv). Based upon the parties' stipulation, the Court finds that the extension is not sought for delay, and the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS SO ORDERED.

Dated: May 27, 2016

  
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Nandor J. Vadas  
United States Magistrate Judge